

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KIRKPATRICK DUNBAR,

Plaintiff,

-v-

KC GOURMET EMPANADAS LLC, *et al.*,

Defendants.

22 Civ. 10453 (PAE)

ORDER TO
SHOW CAUSE

PAUL A. ENGELMAYER, District Judge:

On December 9, 2022, plaintiff Kirkpatrick Dunbar filed the complaint in this case. Dkt.

1. On December 19, 2022, Dunbar served defendant KC Gourmet Empanadas LLC (“KC Gourmet”) with process. Dkt. 8. KC Gourmet has not responded to the complaint or appeared in this action.

On November 7, 2023, Judge Moses, to whom this case is referred for general pretrial supervision, ordered Dunbar to apply for a Clerk’s Certificate of Default against KC Gourmet by December 6, 2023. Dkt. 36. On December 6, 2023, Dunbar so applied. Dkt. 37. On December 8, 2023, Dunbar obtained a Clerk’s Certificate of Default. Dkt. 41. On that same day, Dunbar filed a motion for a default judgment as to KC Gourmet. Dkts. 42–43.

Dunbar’s papers in support of his motion are in good order. If KC Gourmet wishes to oppose the motion, its counsel shall enter a notice of appearance prior to January 5, 2024, and file an opposition on ECF, explaining why a default judgment is not warranted, by January 5, 2024.

Dunbar is to serve this order, and the papers in support of plaintiff's motion for a default judgment, on KC Gourmet forthwith and file proof of this service no later than December 20, 2023.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: December 11, 2023
New York, New York